

National Transportation Safety Board

§ 801.20

day limit for processing shall not commence until the Bureau of Administration receives a totally correct request.

(e) The field offices of the Board shall not maintain, for public access, records maintained by the Bureau of Administration. If requests are made to field offices, advice will be promptly given as to how to make such requests.

(f) The Bureau of Administration shall maintain a contract with a commercial reproduction firm to accommodate requests for reproduction of accident records. The reproduction charges may be subject to change with each contract renewal.

(g) Requests for documents generated by other agencies or entities will not be processed unless they are contained in the Board's accident files.

(h) Requests for records not yet issued will be held in abeyance until issuance and then processed. The person making the request will be so notified.

(i) No charge will be made by the Board for notices, decisions, orders, etc., required by law to be served on a party to any proceeding or matter before the Board.

(j) Upon approval of the Director, Bureau of Administration, subscriptions to Board publications may be entered without charge for States, organizations, or other entities specified in the fee schedule set forth in the appendix.

§ 801.11 Segregability of records.

The initial decision of the Director, Bureau of Administration shall include a determination of segregability. If it is reasonable to do so, the exempt portions will be deleted and the non-exempt portions will be sent to the requester.

§ 801.12 Protection of records.

(a) No person may, without permission, remove from the place where it is made available any record made available to him for inspection or copying. Stealing, altering, mutilating, obliterating, or destroying, in whole or in part, such a record shall be deemed a crime.

(b) Section 641 of title 18 of the U.S.C. provides, in pertinent part, as follows:

“Whoever * * * steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or

disposes of any record * * * or thing of value of the United States or of any department or agency thereof * * * Shall be fined not more than \$10,000 or imprisoned not more than ten years or both; but if the value of such property does not exceed the sum of \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both. * * *”

(c) Section 2071(a) of title 18 of the U.S.C. provides, in pertinent part, as follows:

“(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other things, filed or deposited * * * in any public office, or with any * * * public officer of the United States, shall be fined not more than \$2,000 or imprisoned not more than three years, or both.”

§ 801.13 Production of records on demand of courts or other authorities.

(a) No Board employee or Member, other than the Managing Director or the General Counsel, may respond to a demand of a court or other authority for the production of any Board records.

(b) Whenever an employee or Board Member is served with a court order or other record order, or subpoena duces tecum, he shall immediately advise the General Counsel's office, and the General Counsel shall determine the course of action to be taken.

(c) Subpoenas and requests for oral testimony will be processed pursuant to part 835 of this chapter.

Subpart C—Time Limits

§ 801.20 Initial determination.

An initial determination as to whether to release a record shall be made by the Director, Bureau of Administration within 10 working days (excluding Saturdays, Sundays, and legal public holidays) after the request is received, except that this time limit may be extended up to 10 additional working days in accordance with § 801.22, of this part. The person making the request will be notified immediately in writing of such determination. If such determination is to release the requested record, such record shall be made available promptly. If such determination is made not to release the record,